

Daniel R. Blakey (SBN 143748)
STEPTOE & JOHNSON LLP
633 West Fifth Street, Suite 700
Los Angeles, California 90071
Email: dblakey@steptoe.com
Telephone: (213) 439-9400
Facsimile: (213) 439-9599

Seth A. Watkins (admitted *pro hac vice*)
sethwatkins@steptoe.com
Timothy C. Bickham (admitted *pro hac vice*)
tbickham@steptoe.com
Houda Morad (admitted *pro hac vice*)
hморad@steptoe.com
STEPTOE & JOHNSON LLP
1330 Connecticut Ave., NW
Washington, DC 20036
Telephone: (202) 429-3000
Facsimile: (202) 429-3902

Attorneys for Plaintiff
TESSENDERLO KERLEY, INC.

Elizabeth A. Howard (SBN 173185)
ehoward@orrick.com
Vickie L. Feeman (SBN 177487)
vfeeman@orrick.com
Jacob A. Snow (SBN 270988)
jsnow@orrick.com
Alex J. Feerst (SBN 270537)
afeerst@orrick.com
Zheng Liu (SBN 229311)
jenliu@orrick.com
ORRICK, HERRINGTON &
SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025
Telephone: (650) 614-7400
Facsimile: (650) 614-7401

Attorneys for Defendant
OR-CAL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TESSENDERLO KERLEY, INC., a
Delaware corporation,

Plaintiff,

v.

OR-CAL, Inc., an Oregon corporation,

Defendant.

Case No. 3:11-cv-04100-WHA

**STIPULATION PURSUANT TO
CIVIL L.R. 7-12 AND
[PROPOSED] ORDER RE
AMENDED SCHEDULE FOR
CLAIM CONSTRUCTION
BRIEFING**

Pursuant to the Court's Order ("Order") dated April 13, 2012 (Docket No. 70), Plaintiff Tessenderlo Kerley, Inc. ("TKI") and Defendant Or-Cal, Inc. ("Or-Cal") stipulate to the below-identified schedule and jointly submit this Proposed Order establishing a revised briefing schedule leading up to the claim construction hearing. As required by the Order, TKI served its Amended Disclosure of Asserted Claims and Infringement Contentions by May 4, 2012, and OR-CAL served its invalidity contentions by May 18, 2012. Patent L.R. 4-1 requires the parties to exchange proposed terms for construction not later than 14 days after service of invalidity contentions, i.e., June 1, 2012. The parties have completed that exchange and thus stipulate to and request the following briefing schedule leading up to the claim construction hearing.

<u>Event</u>	<u>Agreed Date</u>
Exchange of Proposed Terms for Construction (Patent L.R. 4-1)	[ALREADY COMPLETED]
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (Patent L.R. 4-2)	6/15/2012
Joint Claim Construction and Prehearing Statement (Patent L.R. 4-3)	6/20/2012
Completion of Claim Construction Discovery (Patent L.R. 4-4)	6/29/2012
Opening Claim Construction Brief (Patent L.R. 4-5(a))	7/3/2012
Responsive Claim Construction Brief (Patent L.R. 4-5(b))	7/17/2012
Claim Construction Reply Brief (Patent L.R. 4-5(c))	7/24/2012
Claim Construction Tutorial	7/18/2012 (per Court Order)
Claim Construction Hearing (Patent L.R. 4-6)	8/8/2012 (per Court Order)

1 Dated: June 13, 2012

Step toe & Johnson LLP

2
3 By: s/Seth A. Watkins
Seth A. Watkins (admitted *pro hac vice*)

4 Attorneys for Plaintiff
5 Tessengerlo Kerley, Inc.

6 Dated: June 13, 2012

Orrick, Herrington & Sutcliffe LLP

8 By: s/Vickie L. Feeman
Vickie L. Feeman

9 Attorneys for Defendant
10 Or-Cal, Inc.

11 **Filer's Attestation:** I, Seth A. Watkins, hereby declare pursuant to General Order 45, §X
12 (B) that I have obtained the concurrence in the filing of this document from each of the
13 other signatories listed.

14 Step toe & Johnson LLP

15 By: s/Seth A. Watkins
16 Seth A. Watkins (admitted *pro hac vice*)

17 Attorneys for Plaintiff
Tessengerlo Kerley, Inc.

19 **ORDER**

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21
22 Dated: June 14, 2012.

23 

24 HON. WILLIAM H. ALSUP
25 UNITED STATES DISTRICT COURT JUDGE